

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 04-10164-DPW
)	
SHON ROWELL)	

JOINT MOTION TO
CONTINUE FINAL STATUS CONFERENCE

Defendant and the government jointly move that this Court continue the Final StConference, presently scheduled for December 7, 2004, to the week of January 10, 2005 or as soon thereafter as is convenient to the Court. The parties also request that the Court reset the deadlines for dispositive motions and replies. As reasons therefore, the parties state the following:

1. At the last status conference, the parties reported that discovery was nearly complete except for defendant's review of certain items. The parties requested a briefing schedule for dispositive motions anticipating that discovery would be complete and that defendant would be prepared to file such motions. The Court set such a schedule.
2. Two weeks ago counsel for the government and defendant met with law enforcement agents assigned to the case to review certain items of discovery requested by defendant. During the meeting, some items requested by defendant could not be immediately located and produced. A Boston Police Sergeant Detective promised the items would be produced forthwith.

3. Despite diligent attempts by the parties, however, the Boston Police Department did not produce the items at issue until December 6, 2004, one day before the scheduled status conference. Defendant must review these items before determining issues to be included in a motion to suppress, if any is to be filed.
4. Defendant requires a brief period of time in order to review these items before filing dispositive motions.
5. The parties request that the Court set December 28, 2004 as the date by which defendant must file dispositive motions, if any, and set January 11, 2005 as the date by which the government should reply.
6. The parties further request that the Court continue the final status conference to the week of January 10, 2005.
7. The parties agree that the period commencing December 7, 2004 up to and including the rescheduled Final Status Conference is excludable from calculations under the Speedy Trial Act as it is in the interests of justice to allow defendant to review discovery and the filing of dispositive motions.

Respectfully submitted,

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